

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

CHARLES W. BAXTER,)	
Plaintiff,)	
v.)	C.A. No. 05-295 Erie
)	
GANDER MOUNTAIN CORP., et al,)	
Defendants.)	

MEMORANDUM ORDER

Plaintiff's complaint was received by the Clerk of Court on October 12, 2005, and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The magistrate judge's report and recommendation, filed on October 25, 2006, recommended that the motion to dismiss filed by Defendants Commonwealth of Pennsylvania and Pennsylvania State Police Central Repository [Document # 19] be granted; the motion to dismiss filed by Defendant Millcreek Police [Document # 21] be granted; the motion to dismiss filed by Defendant Gander Mountain Corporation [Document # 25] be granted; and the motion to dismiss filed by Defendant Erie County Courthouse [Document # 34] be granted. The parties were allowed ten (10) days from the date of service to file objections. Service was made on Plaintiff by certified mail at 625 East 8th Street, Erie, PA 16503, the last address of record, and on Defendants. No objections were filed. After de novo review of the pleadings and documents in the case, together with the report and recommendation, the following order is entered:

AND NOW, this 29th Day of November, 2006;

IT IS HEREBY ORDERED that the motion to dismiss filed by Defendants Commonwealth of Pennsylvania and Pennsylvania State Police Central Repository [Document # 19] is GRANTED; the motion to dismiss filed by Defendant Millcreek Police [Document # 21] is GRANTED; the motion to dismiss filed by Defendant Gander Mountain Corporation [Document #

25] is GRANTED; and the motion to dismiss filed by Defendant Erie County Courthouse [Document # 34] is GRANTED. As this Court declines to exercise supplemental jurisdiction over any state law claims raised within the complaints, this action is DISMISSED in its entirety.

The report and recommendation of Magistrate Judge Baxter, dated October 25, 2006, is adopted as the opinion of the court.

/s/ Maurice B. Cohill, Jr.
Maurice B. Cohill, Jr.
Senior United States District Judge

cc: Susan Paradise Baxter
U.S. Magistrate Judge

cc: all parties of record _____